

## REMARKS

Reconsideration of the subject application is respectfully requested.

The Examiner has rejected the claims as being anticipated by, obvious over Engle, Shore, Mattes, Aotake and Koga. The Applicant respectfully traverses these rejections.

Briefly, the present invention pertains to an apparatus and method for selecting a content code for the scenes of a program. For example, if the program is about nature, a viewer may select a content code indicating that one scene pertains to flowers, another scene pertains to trees, a third scene pertains to animals, and so on.

The apparatus includes a selector that is used by a viewer to select a content code for a current scene, a scene indicator that indicates that content code has to be assigned for or selected to a current scene, and a memory that is used to store the content code selected for each scene. A controller may be used that receives a signal from the selector to indicate that the content code for the current scene has been received. The controller then generates a control signal to change the state of the scene indicator. The apparatus may further include an automatic scene detector that detects the beginning each scene. Alternatively, a manual switch is used by the viewer to indicate the beginning of each scene.

The apparatus operates as follows. A program signal is received that consists of the sequence of scenes. The program signal is typically received

from a standard program player. Importantly, the apparatus claimed herein operates completely independently of the program player, and except for the receiving of the program signal continuously from the program player, there is no interaction between the claimed apparatus and the player.

At the beginning of each scene (as determined by either the viewer through the manual switch or by the automatic scene detector) the scene indicator is activated to indicate that a content code is required for the current scene. The viewer watches the current scene until he determines what is its appropriate content code. He then activates the selector and thereby generates or selects the content code. Once the content code is assigned to the current scene, scene indicator changes state. For example, the scene indicator is deactivated. The content code and data identifying the current scene are stored in a memory and the whole process is repeated for the next scene. In an alternate embodiment, the scene detector remains active for a predetermined time period. In the same or a different embodiment, if no content code is selected by the viewer, then a default content code is selected by the apparatus.

It is important to note that the apparatus itself has relatively few parts, can be made cheaply and can be used by a viewer with very little training. The apparatus can be used in a home or an office to assign content code to a complete, finished program.

Engle discloses placing a command code on a command track that allows the user to skip a scene. These commands are not content codes

because they do not provide information about the content of the respective scene itself. Contrary to the position of the Examiner, this reference does not disclose a scene indicator indicating whether a scene has been assigned a content code, or that indicates that a current scene requires a content code, as recited by the independent claims. Moreover, the reference fails to disclose a scene indicator that is activated when a scene starts and its state is changed, or is deactivated when a content code is assigned to the current scene. The Examiner considers the scene indicator to be a monitor showing the program being reviewed. However, this monitor obviously does not meet the requirements for a screen since it is not indicative of whether the current scene requires a content code, or whether a content code has been assigned to it or not. Moreover, the monitor is on all the time and therefore its status is not changed by the assignment of the code. Accordingly, it is respectfully submitted that the claims are not anticipated by this reference.

Claims 3, 12, 13 and 23 are rejected as being obvious over Engle over Aotake. The Examiner admits that Aotake does not disclose a scene indicator as described above. Therefore these claims are not rendered unpatentable based on the reasons given above.

Also, what the examiner calls “memory” is actually the command track of the tape (i.e. VCR tape) that contains a few bits of data. Although magnetic tape is a form of memory, the tape is not part of the device—it is the interchangeable media that is being played. Hence, Engle does not teach a

device “provided with a ... memory for storing content codes associated with respective scenes” recited in claim 2, 22, and 32.

None of the references cited by the Examiner disclose an apparatus even similar to the one described above, or a method of generating content codes for the scenes of a program as described herein. Instead at least, Shore and Mattes disclose program editors. Typically these editors cost hundreds of thousands of dollars. They include a projector and various sources of sound tracks and other program components. The editing is performed at a studio by an editing director, who is a highly trained individual. Looking at the controls of the editor, it is clear that an average viewer would not be able to operate it.

Shore includes an integral projector that is used by the editing director to watch an unfinished program on a monitor and he adds to the unfinished program appropriate sound and special effects. He can select these special effects using a special controller. However, there is nothing in this reference to indicate that the editing director or anyone else can use this editor to provide content codes for the scenes of a completed program. More specifically, there is no scene indicator that indicates that a particular scene requires a content code. There is nothing in this editor that changes state after a content code is selected. As discussed above, with respect to the Engle reference, a monitor is provided that is used for looking at a program. However, as in Engle, and contrary to the position of the Examiner, the monitor does not

change at any time and there is nothing in this reference that the apparatus should be used to assign content codes to the scenes, or to change the graphics shown on the monitor when a content code is assigned to a scene. Accordingly, the Examiner has failed to show that this reference discloses a scene indicator as described and defined in the claims. Moreover, the independent claims further require a selector for selecting or assigning content codes for individual scenes. There is nothing in shore that provides such a function. Accordingly it is respectfully submitted that the reference fails to anticipate the independent claims, or the dependent claims reciting various other features, including the manual or automatic scene detector, a scene detector that is enabled for a predetermined time period, a selector that assigns a default content code is none are selected by a user, and so on.

As mentioned above, Mattes discloses another editor. This editor includes an integral projector that is used by the editing director to watch an unfinished program or film 5. As he watches he also monitors the various light that indicate to him whether he is at the beginning, the middle, or the end of the scene so that he can add to the unfinished program appropriate sound and special effects. He can select these special effects using a special controller. However, there is nothing in this reference to indicate that the editing director or anyone else can use this editor to provide content codes for the scenes of a completed program. More specifically, there is no scene indicator that indicates that a particular scene requires a content code. There is nothing in this editor

that changes state after a content code is selected. As discussed above, the indicator lights described merely show the beginning, the middle or the end of a scene. These lights do not change state when the editing director adds content to the unfinished program.

However, as in Engle, and Shore and contrary to the position of the Examiner, the monitor does not change at any time and there is nothing in this reference that the apparatus should be used to assign content codes to the scenes, or to change the graphics shown on the monitor when a content code is assigned to a scene. Accordingly, the Examiner has failed to show that this reference discloses a scene indicator as described and defined in the claims. Moreover, the independent claims further require a selector for selecting or assigning content codes for individual scenes. There is nothing in shore that provides such a function. Accordingly it is respectfully submitted that the reference fails to anticipate the independent claims, or the dependent claims reciting various other features, including the manual or automatic scene detector, a scene detector that is enabled for a predetermined time period, a selector that assigns a default content code is none are selected by a user, and so on.

The remaining references are similarly deficient in that they fail to disclose or suggest a scene indicator indicating whether a scene is associated with a content code or whether a scene requires the assignment or selection of a content code. Aotake, as discussed above, merely discloses an automatic scene detector. Koga is cited for teaching assigning an ID to scenes, but not

provide a content code.

The Examiner has also stated that at least some of the cited references disclose a memory. The Applicant respectfully traverses these rejections, There is not reference cited that teaches a memory with content codes associated with each individual scenes of a completed program.

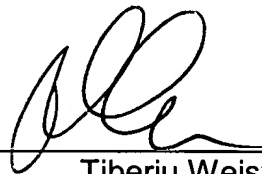
It is respectfully submitted that the subject application is allowable.

Respectfully submitted,

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By



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